

REMARKS

This amendment is entered as of right in the above-identified continuation application prior to an examination on the merits. This amendment is also a full and timely response to the final Official Action mailed October 15, 2003 (Paper No. 5) in the parent application (also identified-above). Claims 1, 2, 4, 5, 7-27 and 31-44 are pending for examination.

With regard to the prior art, claims 1-6, 8 and 9 were previously rejected as anticipated under 35 U.S.C. § 102(b) by U.S. Patent No. 6,166,919 to Nicolici et al. ("Nicolici"). Claims 7 and 10 were rejected as being unpatentable under 35 U.S.C. § 103(a) in view of the teachings of Nicolici. Claims 1, 31, 33, 35 and 37-39 were rejected under 35 U.S.C. § 103(a) over the combined teachings of U.S. Patent No. 5,106,313 to Lwee et al. ("Lwee") and U.S. Patent No. 5,601,444 to Cox ("Cox"). For at least the following reasons, these rejections are respectfully traversed.

Claim 8 recites:

A protective cover for a pin connector of a backplane, said cover comprising:
at least one connector having receptacles for receiving pins of a pin connector of a backplane;

a handle extending from said at least one connector for installing or removing said protective cover; and

clips extending from said cover for engaging a side of said pin connector and clipping said cover to said pin connector of a backplane.

(emphasis added).

In contrast, Nicolici fails to teach or suggest the clips that engage a side of the pin connector for clipping the cover to the pin connector of a backplane. As cited in the final

Office Action, Nicolici does teach a bulkhead (16) with latches (90, 92) for latching to a cross member (130) of an enclosure bay (110). However, these latches (90, 92) cannot be equated with the “clips” claimed in claim 8 because the latches (90, 92) do not meet the definition of the “clips” given in claim 8. Specifically, the latches (90, 92) do not engage a pin connector and cannot clip “to said pin connector of a backplane.”

Thus, Nicolici fails to teach or suggest the clips recited in claim 8. "A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. For at least these reasons, the rejection of claims 8-10 should be reconsidered and withdrawn.

Claim 1, as amended, recites:

A protective cover for a pin connector of a backplane, said cover comprising:
at least one connector having receptacles for receiving pins of a pin connector
of a backplane;

a planar member extending from said at least one connector, said at least one
connector being attached directly on said planar member; and

a plate attached directly to said planar member at an edge opposite said at least
one connector;

wherein said planar member is sufficiently sized to divide and separate blades
installed on said backplane in a rack of a blade server; and

wherein said at least one connector and said planar member are integrally
formed.

(emphasis added).

Support for this subject matter can be found in Applicant's specification at, for example, paragraph 38.

In contrast, Nicolici fails to teach or suggest that the at least one connector and planar member are "integrally formed" as a single member. The combination of Lwee and Cox was not applied to claim 6 and, therefore, does not apply as a rejection of amended claim 1.

The recitations of amended claim 1 are significant because Nicolici is teaching a functioning electronic device with socket connectors (106) that are connected to a printed circuit board (100) to electrically interconnect the circuit board (100) with a backplane. Consequently, one of skill in the art would never consider forming the printed circuit board (100) and the socket connectors (106) as an integral member.

In contrast, Applicant is claiming a cover for protecting the pins of a backplane. The cover need not include any electrical connections of any kind. Thus, the cover claimed by Applicant can profitably be formed is a single integrated member from a purely non-conductive material, for example, plastic. Thus, the integration of the connector and planar member recited in claim 1 would never have been suggested to one of skill in the art by the teachings of Nicolici.

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Because Nicolici fails to teach or suggest all the features of claim 1, the rejection of claims 1, 2, 5, 7 and 31 should be reconsidered and original.

Claim 33 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combined teachings of Lwee and Cox. This rejection is respectfully traversed for at least the following reasons.

Claim 33 recites:

A protective cover for a pin connector of a backplane, said cover comprising:
at least one connector having receptacles for receiving pins of a pin connector of a backplane, wherein said receptacles are not electrically connected to a circuit board or circuit elements;
a planar member extending from said at least one connector, said at least one connector being on said planar member; and
a plate attached to said planar member at an edge opposite said at least one connector.

In contrast, the combination of Lwee and Cox fails to teach or suggest a protective cover for the pin connector of *a backplane*. According to claim 33, the claimed connector must have receptacles for receiving the pins of a pin connector of a backplane. The Office Action concedes that Lwee fails to teach or suggest the receptacles recited in claim 33. Turning to Cox, Cox teaches receptacles that are expressly designed for ribbon cable plug and are *not* receptacles for the pins of a backplane. (Col. 5, lines 18 *et seq.*) Thus, the combination of Lwee and Cox fails to teach or suggest the cover for the “pin connector of a backplane” with “receptacles for receiving pins of a pin connector of a backplane.”

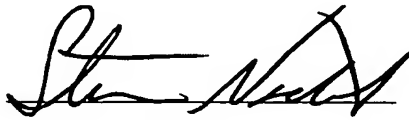
"To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In *re* Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Therefore, for at least this reason, the rejection of claim 33 and its dependent claims should be reconsidered and original.

Additionally, there is no motivation to combine the teachings of Lwee and Cox in the manner suggested in the final Office Action. As shown in Fig. 6 of Lwee, the “cover” (50) closes a housing (20) containing two rows of pins. These rows of pins are already protected by the housing (20), which the cover (50) closes. Thus, adding receptacles to the cover (50) for each of the pins would simply make the cover (50) more expensive to make and more difficult to use, without providing any additional security for the already fully enclosed pins.

"The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680, 16 USPQ2d 1420 (Fed. Cir. 1990)." M.P.E.P. § 2143.01. In the present case, nothing suggests the “desirability” of modifying the Lwee reference as proposed. For at least this additional reason, the rejection of claim 33 and its dependent claims should be reconsidered and original.

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Steven L. Nichols', written over a horizontal line.

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